



Zoning Board of Appeals
Office of the City Council
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David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
Anthony Sieracki, Jr.
Michael Sylvester

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, January 10 2024 at 7:30 p.m. in the Warren Community Center
Auditorium, 5460 Arden, Warren, Michigan 48092.**

Site plans are available for viewing in the Building Department of
City Hall at 1 City Square, 3rd Floor, Warren, 48093.
Please call: (586) 574 - 4504

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meetings of November 8, 2023 and December 13, 2023.**

6. PUBLIC HEARING: **APPLICANT: The Tobin Group, LLC-USE-**
REPRESENTATIVE: Benjamin Tobin
COMMON DESCRIPTION: 14721 Frazho
LEGAL DESCRIPTION: 13-24-253-014
ZONE: MZ, C-1, C-3 and P

VARIANCES REQUESTED: Permission to -USE-

Operate a medical training facility in a C-1 district.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted in C-1: A for profit school is not an allowed use.

Section 14.01 – Uses Permitted in C-2: (I) Business schools and colleges or private schools operated for profit.

7. PUBLIC HEARING: **APPLICANT: Daniel Rensch**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 14719 Peck
 LEGAL DESCRIPTION: 13-01-205-016
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow 902 square ft. of accessory structures as follows:

- 1) A 10' x 11' = 110 square ft. shed, no less than 9' from the rear property line, no less than 3.5' from the side building line that extends past the side building line.
- 2) Erect a 22' x 12' = 264 square ft. sunroom.
 (In addition to an existing 528 square ft. attached garage.)

ORDINANCES and REQUIREMENTS:

Section 4.20 – Detached Accessory Buildings: (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge or any easement.

Section 7.01 – Uses Permitted: (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involved any business, profession, trade or occupation. One (1) private garage of reach residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle provided, further, that no moving vans shall be houses in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

8. PUBLIC HEARING: **APPLICANT: Green Electrical**
 REPRESENTATIVE: Renee Wenner
 COMMON DESCRIPTION: 23601 Hoover
 LEGAL DESCRIPTION: 13-27-426-020
 ZONE: M-2

VARIANCES REQUESTED: Permission to

Retain an existing ground sign that:

- 1) Set back no less than 18" from the property line.
- 2) Has an under clearance of 55".

ORDINANCES and REQUIREMENTS:

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: B) All freestanding or ground signs shall be setback from the right-of-way line a minimum distance equal to the height of the sign.

Section 4A.19 – Clearance: All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

9. PUBLIC HEARING: **APPLICANT: Ian Findlay -USE-**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 25141 Hoover
 LEGAL DESCRIPTION: 13-22-477-008
 ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a drive-in restaurant in a C-1 zone.
- 2) Waive the requirement of completely enclosing the property of a drive thru restaurant with a 4 foot chain link fence.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted: A drive-in restaurant is not a permitted use in a C-1 zone.

Section 14.01 – Uses Permitted: (K) Drive-in restaurant, an establishment whose principal business is to serve food that may be consumed in the building on the premises, on the premises outside the building, or off the premises. Drive-in restaurants shall be permitted upon approval of the Planning Commission, after a public hearing has been held and it is found that the proposed drive-in restaurant meets all the requirements of the zoning ordinances and the following standards: 4. Drive-in restaurant properties shall be completely enclosed with a chain-link fence with a height of four (4) feet; however, when abutting a residential property, a decorative masonry screening wall constructed to a height of six (6) feet shall be provided.

10. PUBLIC HEARING: **APPLICANT: Live Rite Properties, LLC**
Brenda Maks -USE-
 REPRESENTATIVE: Brenda Maks
 COMMON DESCRIPTION: 13642 Marshall
 LEGAL DESCRIPTION: 13-36-104-013
 ZONE: R-1-P

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

11. PUBLIC HEARING: **APPLICANT: Live Rite Properties, LLC**
Brenda Maks -USE-
 REPRESENTATIVE: Brenda Maks
 COMMON DESCRIPTION: 20922 Dexter
 LEGAL DESCRIPTION: 13-36-454-017
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

12. NEW BUSINESS

13. ADJOURNMENT

Paul Jerzy
Secretary of the Board

Any person with a disability who needs accommodation for participation in this meeting should contact the Warren City Council Office at (586) 258-2052 – 48 hours in advance of the meeting to request assistance.